

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DIANE LYNN SCHUHMACHER

No. 6:16-CV-01101-AC

Plaintiff,

ORDER

v.

NANCY BERRYHILL, Acting  
Commissioner of Social Security

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation [21] on December 5, 2017, in which he recommends that the Court reverse and remand the decision of the Commissioner of Social Security for further proceedings. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).


Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

### CONCLUSION

The Court adopts Magistrate Judge Acosta's Findings and Recommendation [21]. Accordingly, this decision of the Commissioner is REVERSED and REMANDED pursuant to Sentence Four of 42 U.S.C. § 405(g) for further administrative proceedings.

IT IS SO ORDERED.

DATED this 1 day of February 2018.

  
MARCO A. HERNÁNDEZ  
United States District Judge